

Stephen J. Hill (1492)  
Robert B. Lochhead (1986)  
Timothy B. Smith (8271)  
PARR BROWN GEE & LOVELESS  
185 South State Street, Suite 800  
Salt Lake City, Utah 84147  
Telephone: (802) 532-7840  
Facsimile: (801) 532-7550

*Attorneys for Plaintiff*

---

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

---

FATPIPE NETWORKS INDIA LIMITED,  
an India corporation,

Plaintiff,  
v.  
XROADS NETWORKS, INC., a Delaware  
corporation.

Defendant.

**REPLY TO COUNTERCLAIM**

**Civil No. 09-CV-186 DAK**

**Judge Dale A. Kimball**

Plaintiff/Counterclaim-Defendant FatPipe Networks India Limited (“FatPipe”) hereby replies to the Counterclaim of Defendant XRoads Networks, Inc. (“XRoads”).

FatPipe responds to the respective numbered paragraphs of the Counterclaim as follows, denying each and every allegation of the Complaint not expressly herein admitted:

1. Admitted.
2. Denied.
3. FatPipe incorporates by reference its responses to the preceding paragraphs as if fully set forth herein.

4. Admitted.
5. Denied.
6. Denied.
7. FatPipe incorporates by reference its responses to the preceding paragraphs as if fully set forth herein.
  8. Admitted.
  9. Denied
  10. Denied.
  11. FatPipe incorporates by reference its responses to the preceding paragraphs as if fully set forth herein.
    12. Admitted.
    13. Denied.
    14. Denied.
    15. FatPipe incorporates by reference its responses to the preceding paragraphs as if fully set forth herein.
      16. Admitted.
      17. Denied.
      18. Denied.

## **AFFIRMATIVE DEFENSES**

### **First Affirmative Defense**

The Counterclaim fails to state a claim upon which relief can be granted.

### **Second Affirmative Defense**

U.S. Patent No. 7,269,143 (the ‘143 Patent) and U.S. Patent No. 7,444,506 (the ‘506 Patent) are valid.

### **Third Affirmative Defense**

Xroads has imported into the United States and/or has made and/or sold and/or offered to sell products falling within the scope of one or more of the claims of the ‘143 Patent and the ‘506 Patent without license in violation of 35 U.S.C. § 271 (a) and/or (c).

### **Fourth Affirmative Defense**

FatPipe alleges the each and every claim for relief in its Complaint as separate affirmative defenses.

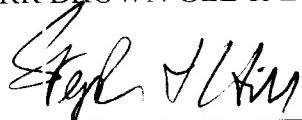
## **PRAYER FOR RELIEF**

WHEREFORE, FatPipe prays:

- A. That the Counterclaim be dismissed and that XRoads take nothing by reason thereof;
- B. That the Court award FatPipe its costs and reasonable attorneys’ fees under 35 U.S.C. § 285; and
- C. For such other and further relief as the Court deems just and proper.

DATED this 22d day of April, 2009.

PARR BROWN GEE & LOVELESS



---

Stephen J. Hill  
Robert B. Lochhead  
Timothy B. Smith

*Attorneys for Plaintiff*